

Remarks

This paper is being filed responsive to the Non-final Office Action mailed by the Office September 27, 2007. The applicant submits the above-listed amendments to the claims and presents the following arguments to fully respond to each issue raised in the Office Action. The applicant submits that the claims are in condition for allowance.

Claim Rejections – 35 USC § 112

The Office has rejected claims 41-54 and 55-67 under 35 USC 112 second paragraph stating that the claims are indefinite. More specifically, the Office states that the term “such as” as used in claims 41, 53 and 63 render the claims indefinite because it is unclear whether the limitations that follow the phrase are part of the claimed invention. The applicant disagrees with the Office’s view of this phrase, however, the applicant has amended claims 41, 53 and 63 to remove the such as clauses. As such, the applicant respectfully submits that the rejection is overcome. Further, because no other rejections were raised pertaining to claims 53 and 63, the applicant submits that these claims are immediately allowable and no further searching is required for these claims.

Claim Rejections – 35 USC § 103

The Office has rejected claims 41, 48, 49, 52, 56, 64 and 66 under 35 USC 103(a) as being unpatentable over United States Patent 6,385,454 in the name of *Bahl* et al in view of United States Patent 6,552,682 in the name of *Fan* and further, the Office has rejected claims 47, 50, 57 under 35 USC 103(a) as being unpatentable over United States Patent 6,385,454 in the name of *Bahl* et al in view of United States Patent 6,552,682 in the name of *Fan* as applied to claim 41 above, and further in view of *Rudrapanta*.

The applicant disagrees with the Office’s position regarding these claims and the interpretation of the cited art, however, the applicant has amended claim 41 by adding the restriction “...whereas the new data is collected from the base stations or the controllers or main switching systems or communication links between them;”. This additional limitation places claim 41 in similar condition to claims 53 and 63 which has been already accepted by the examiner. All other objected claims are dependant on claim 41. As such, the applicant

respectfully submits that the rejection is overcome. Further, because no other rejections were raised pertaining to claims 41, 48, 47, 49, 50, 52, 56, 57, 64 and 66, the applicant submits that these claims are immediately allowable and no further searching is required for these claims.

Conclusion

Applicant respectfully submits that the currently pending claims are in condition for allowance and respectfully requests that the case be processed to issuance. If the Office has any questions or if there are any actions that can be handled through an Examiner's Amendment, the applicant requests the Office to contact the attorney of record using the below-provided contact information.

Respectfully submitted,

/Gregory Scott Smith/

By: _____
Gregory Scott Smith
Reg. No. 40,819
Attorney for Applicant

Smith Frohwein Tempel Greenlee Blaha LLC
Two Ravinia Drive, Suite 700
Atlanta, Georgia 30346
(770) 804-9070